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8	UNITED STATES DISTRICT COURT
9	CENTRAL DISTRICT OF CALIFORNIA
10	EASTERN DIVISION
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12	JEFFREY DENNIS ROE,)
13	Petitioner,) No. EDCV 08-1566-R(AJW) vs.)
14) MEMORANDUM AND ORDER DISMISSING JAMES A. YATES, Warden,) PETITION WITHOUT PREJUDICE
15) PETITION WITHOUT PREJUDICE)
16	Respondent.)
17	<i>'</i>

The petition filed in this case challenges the calculation of petitioner's sentence. The allegations relate to claims made in a separate, prior habeas petition which was filed on September 10, 2008. [Case No. EDCV 08-1239-R(AJW)].¹ On December 22, 2008, the Court issued an order construing the petition filed in this case to be a supplemental petition in the prior case and directing the Clerk to file the petition filed in this case as a supplemental petition in Case No. EDCV 08-1239-R(AJW). Because there is currently another case

¹ The Court takes judicial notice of the relevant official court files. <u>See</u> Fed. R. Evid. 201; <u>Lee v. City of Los Angeles</u>, 250 F.3d 668, 688 (9th Cir. 2001).

pending involving the same petitioner and same subject, the interests of judicial economy and justice are best advanced by requiring that petitioner pursue his claims in a single proceeding. Accordingly, this duplicative case is dismissed without prejudice. IT IS SO ORDERED. Dated: _January 5, 2009___ Manuel L. Real United States District Judge